

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

THE HONORABLE RICK PERRY)	
)	
Plaintiff,)	
)	
THE HONORABLE NEWT GINGRICH,)	
THE HONORABLE JON HUNTSMAN,)	
JR., and THE HONORABLE RICK)	Civil Action No.: 3:11-cv-856-JAG
SANTORUM)	
)	
Plaintiffs-Intervenors,)	
)	
v.)	
)	
CHARLES JUDD, <i>et al.</i> ,)	
)	
Defendants.)	

Defendants' Notice of Appeal

Notice is hereby given that Charles Judd, Kimberly Bowers and Don Palmer, members of the Virginia State Board of Elections, in their official capacities, the defendants in the above named case, hereby appeal to the United States Court of Appeals for the Fourth Circuit from the Order of the United States District Court, entered on January 9, 2012, ordering defendants "to send a directive to each of Virginia's local electoral boards . . . to refrain from mailing out any absentee ballots until after the hearing . . . on January 13, 2012," and "to refrain from ordering any ballots until after the hearing" (Doc. 46 at 1).

Dated this 9th day of January, 2012.

Respectfully submitted,

CHARLES JUDD, KIMBERLY BOWERS and
DON PALMER, in their official capacities

/s/
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CERTIFICATE OF SERVICE

I hereby certify that on the 10th day of January, 2012, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following counsel of record for Plaintiff and Intervenor:

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I further certify that some of the participants in the case are not registered CM/ECF users.

I have mailed one copy of the foregoing document by First-Class Mail to the following non-CM/ECF participant:

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